

the confusion which ensued after such transactions occurred. The GAO specifically determined that, in such instances, the Department of Justice's information-sharing procedures failed to adequately "address the specific types of information from NICS transactions that can or should be provided to Federal counterterrorism officials or the sources from which such information can be obtained."

The TARR Act seeks to correct this problem by making two simple, yet important, changes in current law. First, the bill would require all information regarding such transactions to be shared with all appropriate counterterrorism officials at the State and Federal level. Secondly, it would impose a ten year retention requirement on any records related to those transactions. In sum, the bill proposes two modest changes which—in the long run—will go along way towards keeping our homeland truly secure.

I am hopeful that Congress can move quickly to enact this worthwhile and timely legislation.

**BLACK HISTORY TRIBUTE TO
GERTRUDE A. YOUNG**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize outstanding African Americans of the 2nd Congressional District of Mississippi, and their contribution to Black History. The 23 counties of the 2nd District are well represented from both a local and national perspective.

Americans have recognized black history annually since 1926, first as "Negro History Week" and later as "Black History Month." In fact, black history had barely begun to be studied—or even documented—when the tradition originated. Although blacks have been in America as far back as colonial times, it was not until the 20th century that they gained a presence in our history books.

Though scarcely documented in history books, if at all, the crucial role African Americans have played in the development of our Nation must not be overlooked.

I would like to recognize Gertrude Anderson Young of Warren County. Mrs. Young was born to the late Mr. Wanzie Anderson and Josephine Anderson.

Mrs. Young is a 1973 honor graduate of North Vicksburg High School, a 1976 honor graduate of Mississippi Valley State University where she received a degree in Nursing, a 1983 Hinds Community College honor graduate, and 1999 honor graduate of Alcorn State University.

Mrs. Young has worked as a Registered Nurse for 20 years. Mrs. Young is noted in Warren County for creating a 24-hour hotline and weekly radio program for teens called "Talk to Me". In addition, she was elected as the first woman to serve as Warren County Election Commissioner of District 3. Presently, she is a published writer and she serves as the City of Vicksburg's first female elected official as North Ward Alderman and Mayor Pro Tem.

Mrs. Young is the 1996 recipient of the State's Child Advocate of the Year award and the Fannie Lou Hamer award. She was inducted into the 2001–2003 Who's Who Among

American Women. Mrs. Young is a member of Mt. Carmel Missionary Baptist Church where she serves as an Associate Minister. She is the former president of the Mississippi Black Caucus of Local Elected Official (MBC-LEO) and she is a member of numerous local, State, and Federal boards and organizations including Delta Sigma Theta Sorority, Inc.

I take great pride in recognizing and paying tribute to this outstanding African American of the 2nd Congressional District of Mississippi who deserves mention, not only in the month of February but year round.

**APPRECIATION FOR ALEC
FRENCH'S SERVICE ON THE JUDICIARY
COMMITTEE STAFF
MARCH 10, 2005**

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. SENSENBRENNER. Mr. Speaker, today Mr. CONYERS, Mr. SMITH of Texas, Mr. BERMAN, and I would like to commend and thank Alec French for his tremendous contribution as Minority Counsel to the Judiciary Subcommittee on Courts, the Internet, and Intellectual Property. During his five years of service to the Subcommittee, Alec was well-liked by the Members and his colleagues on both sides of the aisle. We are sad to see him leave our staff.

Without our system of copyright, trademark, and patent protection for innovations, consumers would not be able to enjoy movies, music, or new technology. Over the last five years, Alec was an invaluable member of our team and he played a crucial role in helping us to protect creative works and to establish the parameters of intellectual property rights. At the same time, Alec made sure that we listened to the needs of all parties involved, namely copyright owners and copyright users, so that decisions of policy were balanced appropriately.

Because of Alec's service, Congress was able to pass into law several bills on these issues, including the Satellite Home Viewer Extension and Reauthorization Act of 2004, Copyright Royalty and Distribution Reform Act of 2004, the Intellectual Property Protection and Courts Amendments Act of 2004, and the Small Webcaster Settlement Act of 2002. He also shepherded numerous bills that passed the House, including the United States Patent and Trademark Fee Modernization Act of 2004, the Piracy Deterrence and Education Act of 2004, Internet Freedom and Broadband Deployment Act of 2001, Patent and Trademark Office Authorization Act of 2002, Intellectual Property and High Technology Technical Amendments Act of 2001, and Madrid Protocol Implementation Act.

Alec also was instrumental in working with our third branch of the government, the Judiciary. He helped protect the privacy of judges and their staffs, made sure that judges were compensated fairly, and ensured that the courts would have the resources they need to continue serving the American public.

We thank Alec for his exceptional service to Congress and wish him the very best in his future endeavors.

THE INTRODUCTION OF THE "SECURITY AND FAIRNESS ENHANCEMENT (SAFE) FOR AMERICA ACT"

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the "Security and Fairness Enhancement (SAFE) for America Act." This much-needed legislation eliminates the controversial visa lottery program, through which 50,000 aliens are chosen at random to come and live permanently in the United States based on pure luck. The visa lottery program threatens national security, results in the unfair administration of our nation's immigration laws, and encourages a cottage industry for fraudulent opportunists.

Because winners of the visa lottery are chosen at random, the visa lottery program presents a serious national security threat. A perfect example of the system gone awry is the case of Hesham Mohamed Ali Hedayet, the Egyptian national who killed two and wounded three during a shooting spree at Los Angeles International Airport in July of 2002. He was allowed to apply for lawful permanent resident status in 1997 because of his wife's status as a visa lottery winner.

The State Department's Inspector General has even weighed in on the national security threat posed by the visa lottery program. In a report issued in September of 2003, the Office of Inspector General stated that the visa lottery program contains "significant threats to national security from entry of hostile intelligence officers, criminals, and terrorists into the United States as permanent residents." Even if improvements were made to the visa lottery program, nothing would prevent terrorist organizations or foreign intelligence agencies from having members apply for the program who do not have criminal backgrounds. These types of organized efforts would never be detected, even if significant background checks and counter-fraud measures were enacted within the program.

Usually, immigrant visas are issued to foreign nationals that have existing connections with family members lawfully residing in the United States or with U.S. employers. These types of relationships help ensure that immigrants entering our country have a stake in continuing America's success and have needed skills to contribute to our nation's economy. However, under the visa lottery program, visas are awarded to immigrants at random without meeting such criteria.

In addition, the visa lottery program is unfair to immigrants who comply with the United States' immigration laws. The visa lottery program does not expressly prohibit illegal aliens from applying to receive visas through the program. Thus, the program treats foreign nationals that comply with our laws the same as those that blatantly violate our laws. In addition, most family-sponsored immigrants currently face a wait of years to obtain visas, yet the lottery program pushes 50,000 random immigrants with no particular family ties, job skills or education ahead of these family and employer-sponsored immigrants each year with relatively no wait. This sends the wrong

message to those who wish to enter our great country and to the international community as a whole.

Furthermore, the visa lottery program is wrought with fraud. A report released by the Center for Immigration Studies states that it is commonplace for foreign nationals to apply for the lottery program multiple times using many different aliases. In addition, the visa lottery program has spawned a cottage industry featuring sponsors in the U.S. who falsely promise success to applicants in exchange for large sums of money. Ill-informed foreign nationals are willing to pay top dollar for the "guarantee" of lawful permanent resident status in the U.S.

The State Department's Office of Inspector General confirms these allegations of widespread fraud in its September report. Specifically, the report states that the visa lottery program is "subject to widespread abuse" and that "identity fraud is endemic, and fraudulent documents are commonplace." Furthermore, the report also reveals that the State Department found that 364,000 duplicate applications were detected in the 2003 visa lottery alone.

In addition, the visa lottery program is also by its very nature discriminatory. The complex formula for assigning visas under the program arbitrarily disqualifies natives from countries that send more than 50,000 immigrants to the U.S. within a five-year period, which excludes nationals from countries such as Mexico, Canada, China and others.

The visa lottery program represents what is wrong with our country's immigration system. My legislation would eliminate the visa lottery program. The removal of this controversial program will help ensure our nation's security, make the administration of our immigration laws more consistent and fair, and help reduce immigration fraud and opportunism.

FREEDOM FOR ANTONIO RAMÓN DÍAZ SÁNCHEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Antonio Ramón Díaz Sánchez, a prisoner of conscience in totalitarian Cuba.

Mr. Díaz Sánchez is an electrician by profession. He is also a member of the Christian Liberation Movement. Mr. Díaz Sánchez is a peaceful activist in the cause of liberty who desires to exercise his basic human rights. Unfortunately, the nightmare that is the Castro regime continues to violently oppress the men and women of Cuba, including those that bravely illuminate the atrocities committed against the Cuban people for the world to see.

Unfortunately, in March 2003, as part of the dictatorship's heinous crackdown on peaceful, pro-democracy activists, Mr. Díaz Sánchez was arrested. Simply because of his courageous pro-democracy activities, Mr. Díaz Sánchez was subjected to a sham trial where he was sentenced to 14 years in the totalitarian gulag.

According to Amnesty International, Mr. Díaz Sánchez has continued to advocate for

freedom and justice while locked in the hellish squalor of Castro's gulag. He has participated in two hunger strikes to draw attention to the depravity of the conditions that political prisoners are subjected to in the gulag: including denial of medical attention, beatings, and severe malnutrition. He has courageously risked harm to himself in order to bring a semblance of humane treatment to those confined in the horror that is the totalitarian gulag.

Mr. Speaker, Mr. Ramón Díaz Sánchez, is an electrician who now shines a light of dignity and courage on the abominable disregard for human rights, human dignity, and human freedom just 90 miles from our shore. My Colleagues, we must demand the immediate and unconditional release of Antonio Ramón Díaz Sánchez, and every political prisoner in totalitarian Cuba.

RULING IN PADILLA CASE: A PROPER CHECK ON ATTEMPTED DENIAL OF DUE PROCESS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. UDALL of Colorado. Mr. Speaker, terrorism must be fought, but we must resist the temptation to answer the extremism of terrorists with denials of the very principles the terrorists are attacking.

That is why many of us have been so concerned about the way the Administration has dealt with two American citizens they identified as "enemy combatants."

Last year, the Supreme Court ruled that one, Yaser Hamdi, must be tried or released. But it found a technical reason to avoid a similar decision regarding the other, saying that the case had been brought in the wrong district court.

Now the case has been renewed in the correct district court, and has brought a ruling that an editorial in the Rocky Mountain News says "dealt, one hopes, a fatal blow to the assertion of an unchecked presidential power to jail a citizen indefinitely and with no access to due process."

I share that hope.

For the information of our colleagues, here is the complete text of the editorial:

[From the Rocky Mountain News, Mar. 2, 2005]

JUSTICE, FINALLY, FOR JOSÉ PADILLA

The most egregious assertion of power in the Bush administration's war on terror was the president's right to jail any American indefinitely without trial. The president merely had to designate that person an "enemy combatant." That unwelcome unilateral expansion of presidential prerogatives was used only twice—on Yaser Esam Hamdi, a U.S.-born Saudi; and José Padilla, an American petty criminal.

Hamdi was captured in Afghanistan in 2001, sent to Guantanamo Bay, Cuba, and then shipped to a Navy brig when the feds learned he could claim U.S. citizenship. Last June, the Supreme Court ruled that the administration had to either try him or release him, and even though Hamdi, now 24, was presumably so dangerous that he had to spend over two years in solitary, the administration

tamely sent him back to his parents in Saudi Arabia on the grounds that he no longer had any information to give.

Padilla, now 34, wasn't so lucky. Even though an appeals court had ruled that Padilla, too, should be tried or released, the Supreme Court said his case should have been filed in South Carolina instead of New York. Now a federal judge in South Carolina, Henry Floyd, has ruled and dealt, one hopes, a fatal blow to the assertion of an unchecked presidential power to jail a citizen indefinitely and with no access to due process—a judge, lawyer, habeas corpus, charges, a trial, all the basic constitutional safeguards.

"The court finds that the president has no power, neither express nor implied, neither constitutional nor statutory, to hold petitioner as an enemy combatant," Floyd wrote.

Well said.

HONORING SALVADOR A. MERCADO'S SERVICE TO THE DE- PARTMENT OF TRANSPORTATION

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor a citizen of the 28th District of Texas, Salvador A. Mercado, and his 28 years of service to the Department of Transportation.

In 1972 Salvador began his career with the Department of Transportation in Laredo, Texas. He then decided to further his education by attending the University of Texas at Austin, earning a degree in civil engineering. After he received his degree, he was able to move up at the Department of Transportation, and eventually became deputy district engineer.

During his time at the Transportation Department Salvador was able to apply his attention to detail to help establish Transportation Gateway, one of the 18th urban centers of its kind.

His professional demeanor assisted him as he made the critical decision of recruiting 20 engineering assistants for the district.

District safety has always been a main concern of Salvador's, and he has established different programs such as "El Protector," Spring Break rest stops, South Texas Fiber Optics Loop System, a Haz-Mat Task Force, traffic safety booths at local festivals, and the initiation of Construction Career Days to aid the community.

Salvador's willingness to work has not been overlooked by his peers; in 1996 he received the Gilchrist Award which honors outstanding achievement in Highway Engineering. This award is so prestigious that Salvador is only the second Hispanic engineer to ever be presented with this award.

Upon retirement Salvador will begin working in the private sector and I'm convinced will play an imperative role in whatever venture he decides to pursue.

Mr. Speaker, I am proud to have had this opportunity to recognize the many contributions of Salvador A. Mercado.